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C O N F I D E N T I A L GUATEMALA 000275

SIPDIS

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TAGS: [CU](#) [PHUM](#) [PREL](#) [GT](#) [UNCHR](#)

SUBJECT: GUATEMALAN COSPONSORSHIP OF CUBAN HUMAN RIGHTS
RESOLUTION

REF: A. STATE 20816

1B. PARA 4

Classified By: Ambassador John R. Hamilton for reason 1.5 (b)

11. (C) I have misgivings about our seeking Guatemalan co-sponsorship of the UNHRC resolution on Cuba (seeking a yes vote would be different). There is the question, first, whether Guatemalan support would be a genuine asset to the effort in Geneva. As the Department is aware, violence and threats of violence against the courageous Guatemalan human rights community have increased dramatically since the 2002 UNHRC session. We have led international community efforts to turn this situation around, so far with only limited success. Although we do not know for sure that state security elements are involved, we are disappointed that the government has done so little publicly and privately to make its opposition to such threats clear. With its own credibility on human rights so grievously impaired, Guatemalan co-sponsorship at Geneva may actually detract from the legitimacy of our efforts, in particular among the Latins and Europeans. The Cubans would exploit this vulnerability to the hilt.

12. A second consideration is that we are gaining credit with democratic forces) and the Guatemalan public at large * for the forthright stand we are taking here on issues of democratic governance. These includes, in addition to the threats against the human rights community: the political influence of organized crime (the so-called &clandestine groups8) and narcotics traffickers; corruption in a wide variety of manifestations; broader rule of law issues; support for free, fair and constitutional elections; and full implementation of the 1996 Peace Accords. Impending decertification is an important part of this mix. But fear among democratic forces that our needs on multilateral issues will ultimately trump their concerns runs deep. It would be difficult indeed to convince Guatemalan democrats we had not traded their concerns for GOG support on Cuba, especially if we were re-certifying Guatemala on drugs (no matter how justified on the merits) in the same time frame.

13. That said, if Department determines that the need for Guatemalan support overrides these considerations, we will give it our best shot. My senior staff believes replacement of FM Orellana with Edgar Gutierrez makes sponsorship, even a favorable vote, a much, much tougher sell than last year. I think a yes vote (conceivably even sponsorship) could be possible if we pull out all the stops of high-level intervention. Portillo will seek a quid pro quid, possibly re-certification. He should get only the modicum of respect he would deserve for doing the right thing on an important human rights issue.

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Hamilton